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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,121	04/06/2000	David A. Evans	940630-010-018	7647

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Blaney Harper Esq
Jones Day Reavis & Pogue
51 Louisiana Avenue NW
Washington, DC 20001-2113

EXAMINER	
LY, ANH	

ART UNIT	PAPER NUMBER
2172	

DATE MAILED: 05/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/544,121	Applicant(s) EVANS ET AL.	
	Examiner Anh Ly	Art Unit 2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 April 2000* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. claims 1-33 are pending in this application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-2, 9 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,363,353 issued to Chen.

With respect to claim 1, Chen discloses selecting one or more data sources (see fig. 1, item 101, col. 1, lines 47-58, col. 2, lines 10-67 and col. 3, lines 32-40); linking said selected source to an operator for analyzing information (abstract, col. 2, lines 10-23, col. 4, lines 48-67, col. 5, lines 1-3, col. 13, lines 22-50 and col. 14, lines 58-67); detecting whether said data source is a data stream or a database (col. 3, lines 32-40); and evaluating said operator against a database when said data source includes one or more databases and evaluating a data unit against said operator when said data source includes one or more data streams (col. 5, lines 4-53, col. 13, lines 22-50 and col. 14, lines 58-67).

Chen does not clearly disclose "operator for analyzing information." But, however, Chen discloses data analysis functions as well as data source analyzer (col.

13, lines 22-25 and col. 14, lines 62-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Chen such as data sources, analyzer, databases and analysis data so as to obtain a computer assisted method for analyzing information from a data source in the data warehouse environment.

With respect to claim 2, Chen discloses linking a plurality of operators together in a network wherein said network analyzes information from said data source (col. 13, lines 22-50 and col. 14, lines 58-67).

With respect to claim 9, Chen discloses selecting one or more data sources; selecting one or more operators for analyzing information; linking a plurality of operators together in a network; creating a visual representation of said network; linking said network to said data source in said visual representation; and compiling said network and evaluating said data source using said network when said network is visually linked to said data source (see fig. 1, item 101, col. 1, lines 47-58, col. 2, lines 10-67 and col. 3, lines 32-40; abstract, col. 2, lines 10-23, col. 4, lines 48-67, col. 5, lines 1-3, col. 13, lines 22-50 and col. 14, lines 58-67; col. 3, lines 32-40; col. 5, lines 4-53, col. 6, lines 22-38, col. 13, lines 22-50 and col. 14, lines 58-67; col. 14, lines 1-67 and see fig. 6A-6F, col. 12, lines 12-67 and col. 13, lines 1-22).

Chen does not clearly disclose "operator for analyzing information and visual representation." But, however, Chen discloses data analysis functions as well as data source analyzer (col. 13, lines 22-25 and col. 14, lines 62-67) and user interface screen and GUI (col. 12, lines 12-67 and col. 13, lines 1-22). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Chen such as data sources, analyzer, databases and analysis data so as to obtain a computer assisted method for analyzing information from a data source in the data warehouse environment.

With respect to claim 22, Chen discloses selecting a plurality of operators for detecting whether information satisfies a desired constraint; linking said operators together in a network; creating a visual representation of said network; linking said data stream to said network in said visual representation; evaluating said received information against said network; and automatically generating a programmed response when a constraint from at least one network operator is satisfied (col. 2, lines 45-67, col. 3, lines 1-31 and col. 5, lines 16-53; col. 1, lines 47-58, col. 2, lines 10-67 and col. 3, lines 32-40; abstract, col. 2, lines 10-23, col. 4, lines 48-67, col. 5, lines 1-3, col. 13, lines 22-50 and col. 14, lines 58-67; col. 3, lines 32-40; col. 5, lines 4-53, col. 6, lines 22-38, col. 13, lines 22-50 and col. 14, lines 58-67; col. 14, lines 1-67 and see fig. 6A-6F, col. 12, lines 12-67 and col. 13, lines 1-22col. 11, lines 26-35).

Chen does not clearly disclose "a plurality of operators for detecting whether information satisfies a desired constraint and visual representation." But, however, Chen discloses operations and data analysis functions as well as data source analyzer (col. 2, lines 45-67, col. 13, lines 22-25 and col. 14, lines 62-67) and user interface screen and GUI (col. 12, lines 12-67 and col. 13, lines 1-22). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teachings of Chen such as data sources, analyzer, databases and analysis

data so as to obtain a computer assisted method for analyzing information from a data source in the data warehouse environment.

6. Claims 3, 6-8, 10 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,363,353 issued to Chen in view of US Patent No. 5,915,249 issued to Spencer.

With respect to claim 3, Chen discloses a method for analyzing information from a data source as discussed in claim 1.

Chen does not explicitly indicate, "compiling said network by assigning a document identifier to one or more operators, combining said operators having a document identifier into an operator database and inverting that operator database when said data source includes one or more databases."

However, Spencer discloses document identifier to one or more operators as claimed (col. 1, lines 32-42, col. 3, lines 1-52 and col. 9, lines 25-51).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chen with the teachings of Spencer so as to obtain a method for analyzing information from a data source because the combination would provide a method including step of take into account the relative significance of terms in the databases structure such as text or document databases (Spencer - col. 2, lines 1-25) in the information retrieval with analyzing information from data sources of a data warehouse source environment.

With respect to claims 6-8, Chen discloses a method for analyzing information from a data source as discussed in claim 1.

Chen does not explicitly indicate, "wherein said data source contains at least one of the group consisting of a text file, audio file, video file, graphic file, and picture file; data from said data source is transmitted over a network to a computer which evaluates said data and network comprises the Internet."

However, Spencer discloses text file as claimed (col. 8, lines 61-67 and col. 9, lines 1-24); transmitting over network (col. 1, lines 12-32, col. 7, lines 40-48 and col. 8, lines 32-60) and network is Internet (col. 7, lines 40-48 and col. 8, lines 4-32).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chen with the teachings of Spencer so as to obtain a method for analyzing information from a data source because the combination would provide a method including step of take into account the relative significance of terms in the databases structure such as text or document databases (Spencer - col. 2, lines 1-25) in the information retrieval with analyzing information from data sources of a data warehouse source environment.

With respect to claim 10, Chen discloses a method for analyzing information from a data source as discussed in claim 9.

Chen does not explicitly indicate, "compiling said network by assigning a document identifier to one or more operators, combining said operators having a document identifier into an operator database and inverting that operator database when said data source includes one or more databases."

However, Spencer discloses document identifier to one or more operators as claimed (col. 1, lines 32-42, col. 3, lines 1-52 and col. 9, lines 25-51).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chen with the teachings of Spencer so as to obtain a method for analyzing information from a data source because the combination would provide a method including step of take into account the relative significance of terms in the databases structure such as text or document databases (Spencer - col. 2, lines 1-25) in the information retrieval with analyzing information from data sources of a data warehouse source environment.

With respect to claims 13-15, Chen discloses a method for analyzing information from a data source as discussed in claim 9.

Chen does not explicitly indicate, "wherein said data source contains at least one of the group consisting of a text file, audio file, video file, graphic file, and picture file; data from said data source is transmitted over a network to a computer which evaluates said data and network comprises the Internet."

However, Spencer discloses text file as claimed (col. 8, lines 61-67 and col. 9, lines 1-24); transmitting over network (col. 1, lines 12-32, col. 7, lines 40-48 and col. 8, lines 32-60) and network is Internet (col. 7, lines 40-48 and col. 8, lines 4-32).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chen with the teachings of Spencer so as to obtain a method for analyzing information from a data source because the combination would provide a method including step of take into account the relative

significance of terms in the databases structure such as text or document databases (Spencer - col. 2, lines 1-25) in the information retrieval with analyzing information from data sources of a data warehouse source environment.

7. Claims 4-5, 11-12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,363,353 issued to Chen in view of US Patent No. 5,915,249 issued to Spencer and further in view of US Patent No. 6,353,825 issued to Ponte.

With respect to claims 4-5, Chen in view of Spencer discloses a method for analyzing information from a data source as discussed in claim 1.

Chen in view of Spencer does not explicitly indicate, "each operator receives a listing of data context identifiers having one or more corresponding document features and said document features are chosen from a group consisting of terms, extracted entities, term relations, term counts, term distribution, discourse markers, feature distribution, reference data deriving from said data source."

However, Ponte discloses context, document feature and term counts as claimed (col. 19, lines 50-54 and col. 34, lines 39-47; col. 8, lines 50-67 and col. 9, lines 1-40 and col. 26, lines 21-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chen in view of Spencer with the teachings of Ponte so as to obtain a method for analyzing information from a

data source because the combination would provide a method including step of take into account the relative significance of terms in the databases structure such as text or document databases (Spencer - col. 2, lines 1-25) in the information retrieval with analyzing information from data sources of a data warehouse source environment.

With respect to claims 11-12, Chen in view of Spencer discloses a method for analyzing information from a data source as discussed in claim 9.

Chen in view of Spencer does not explicitly indicate, "each operator receives a listing of data context identifiers having one or more corresponding document features and said document features are chosen from a group consisting of terms, extracted entities, term relations, term counts, term distribution, discourse markers, feature distribution, reference data deriving from said data source."

However, Ponte discloses context, document feature and term counts as claimed (col. 19, lines 50-54 and col. 34, lines 39-47; col. 8, lines 50-67 and col. 9, lines 1-40 and col. 26, lines 21-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chen in view of Spencer with the teachings of Ponte so as to obtain a method for analyzing information from a data source because the combination would provide a method including step of take into account the relative significance of terms in the databases structure such as text or document databases (Spencer - col. 2, lines 1-25) in the information retrieval with analyzing information from data sources of a data warehouse source environment.

With respect to claim 21, Chen in view of Spencer discloses a method for analyzing information from a data source as discussed in claim 9.

Chen in view of Spencer does not explicitly indicate, "creating an output indicator, said output indicator representing a response function initiated by one of said operators."

However, Ponte discloses indicator as claimed (col. 27, lines 36-65).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chen in view of Spencer with the teachings of Ponte so as to obtain a method for analyzing information from a data source because the combination would provide a method including step of take into account the relative significance of terms in the databases structure such as text or document databases (Spencer - col. 2, lines 1-25) in the information retrieval with analyzing information from data sources of a data warehouse source environment.

8. Claims 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,363,353 issued to Chen in view of US Patent No. 5,915,249 issued to Spencer and further in view of US Patent No. 5,911,138 issued to Li et al. (hereinafter Li).

With respect to claims 16-20, Chen in view of Spencer discloses a method for analyzing information from a data source as discussed in claim 9.

Chen in view of Spencer does not explicitly indicate, "creating an output indicator at each mode of said network; said output indicator visually represents a quantified input and a quantified output of said operator; said output indicator displays the number of input documents and the number of output documents for each node of said network; wherein said display comprises a pie chart; wherein said display comprises a bar chart; and wherein said display comprises a term map."

However, Li discloses GUI as claimed (col. 2, lines 17-21, col. 3, lines 25-34 and col. 4, lines 8-25), nodes as claimed abstract, col. 2, lines 8-38, col. 4, lines 8-67 and col. 5, lines 1-5) and pie chart, bar chart and term map as claimed (col. 4, lines 8-67 and col. 5, lines 1-5).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chen in view of Spencer with the teachings of Li so as to obtain a method for analyzing information from a data source because the combination would provide a method including step of take into account the relative significance of terms in the databases structure such as text or document databases (Spencer - col. 2, lines 1-25) in the information retrieval with analyzing information from data sources of a data warehouse source environment.

9. Claims 23-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,363,353 issued to Chen in view of US Patent No. 6,029,171 issued to Smiga et al. (hereinafter Smiga).

With respect to claims 23-24 and 27-28, Chen discloses a method for automatically responding to information received from a data stream as discussed in claim 22.

Chen does not explicitly indicate, "wherein said programmed response comprises generating an email message; wherein said programmed response comprises generating a telephone voice message; wherein said output indicator represents an email message; and wherein said output indicator represents a telephone voice message."

However, Smiga discloses e-mail message as well as voice mail messages (col. 2, lines 21-35 and col. 30, lines 27-47; col. 25, lines 1-6 and col. 29, lines 1-10).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chen in view of Spencer with the teachings of Li so as to obtain a method for automatically responding to information received from a data stream because the combination would provide a method including step of take into account the relative significance of terms in the databases structure such as text or document databases (Spencer - col. 2, lines 1-25) in the information retrieval with analyzing information from data sources of a data warehouse source environment.

With respect to claims 25-26 and 29, Chen discloses a method for automatically responding to information received from a data stream as discussed in claim 22.

Chen does not explicitly indicate, "wherein said programmed response comprises generating a text message; creating an output indicator, said indicator representing a

response function initiated by one of said operators; wherein said output indicator represents a text message."

However, Smiga discloses text expression such as text message and response indicator as claimed (abstract, col. 1, lines 18-40, col. 2, lines 56-67, col. 3, lines 1-13 and col. 5, lines 22-55; col. 24, lines 16-31).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chen in view of Spencer with the teachings of Li so as to obtain a method for automatically responding to information received from a data stream because the combination would provide a method including step of take into account the relative significance of terms in the databases structure such as text or document databases (Spencer - col. 2, lines 1-25) in the information retrieval with analyzing information from data sources of a data warehouse source environment.

With respect to claims 30-33, Chen discloses a method for automatically responding to information received from a data stream as discussed in claim 22.

Chen does not explicitly indicate, "transmitting said output indicator over a computer network."

However, Smiga discloses transmitting information over network as claimed (col. 4, lines 3-58).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Chen in view of Spencer with the teachings of Li so as to obtain a method for automatically responding to

information received from a data stream because the combination would provide a method including step of take into account the relative significance of terms in the databases structure such as text or document databases (Spencer - col. 2, lines 1-25) in the information retrieval with analyzing information from data sources of a data warehouse source environment.

Contact Information

10. Any inquiry concerning this communication should be directed to Anh Ly whose telephone number is (703) 306-4527. The examiner can be reached on Monday - Friday from 8:00 AM to 4:00 PM.

If attempts to reach the examiner are unsuccessful, see the examiner's supervisor, Kim Vu, can be reached on (703) 305-4393.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 746-7238 (after Final Communication)

or:

(703) 746-7239 (for formal communications intended for entry)

or:

(703) 746-7240 (for informal or draft communications, or Customer Service Center, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (receptionist).

Inquiries of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

AL

KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Apr. 30th, 2002.